

Attorney Docket No. 27757-00156

**DECLARATION**

**SOLE INVENTOR  
ORIGINAL**

As a below named inventor, I hereby declare that: my residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first, and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

A COMPUTER SYSTEM USING A QUEUING SYSTEM AND METHOD FOR MANAGING A QUEUE AND HETEROGENEOUS DATA STRUCTURES

as described in the specification [X] attached or [ ] of patent Application Serial No. \_\_\_\_\_

filed \_\_\_\_\_ and amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above; that I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application; that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months prior to this application; and that I acknowledge the duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations § 1.56(a). Such information is material when it is not cumulative to information already of record or being made of record in the application, and

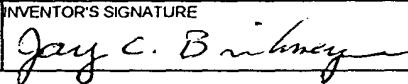
- (1) it establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) it refutes, or is inconsistent with, a position the applicant has taken or may take in:
  - (i) opposing an argument of unpatentability relied on by the Office, or
  - (ii) asserting an argument of patentability.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificates listed below and have also identified below any foreign application(s) having a filing date before that of the application(s) on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE OF FILING	PRIORITY CLAIMED UNDER 35 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35 United States Code § 120 of any United States application(s) listed below and, insofar as any subject matter of any claim of this application is not disclosed in the prior United States Application, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations § 1.56(a) which occurred between the filing date of the prior application and the national PCT international filing date of this application:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE INVENTOR <b>JAY C. BRINKMEYER</b>	INVENTOR'S SIGNATURE 	DATE <b>3-24-98</b>
RESIDENCE <b>16206 AVENPLACE RD., TOMBALL, TX 77375</b>		CITIZENSHIP <b>U.S.</b>
POST OFFICE ADDRESS <b>16206 AVENPLACE RD., TOMBALL, TX 77375</b>		



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JUNE 18, 1998

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JENKENS & GILCHRIST, P.C.  
ROGER L. MAXWELL  
1445 ROSS AVENUE, SUITE 3200  
DALLAS, TEXAS 75202-2812

INTELLECTUAL PROPERTY



\*100694472A\*

JUN 29 1998

JENKENS & GILCHRIST

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RECORDATION DATE: 04/09/1998

REEL/FRAME: 9117/0477

NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:

BRINKMEYER, JAY C.

DOC DATE: 03/24/1998

ASSIGNOR:

COMPAQ COMPUTER CORPORATION  
20555 S. H. 249  
HOUSTON, TEXAS 77070

SERIAL NUMBER: 09057707

FILING DATE: 04/09/1998

PATENT NUMBER:

ISSUE DATE:

\* SCP 7-1-98

SHARMALLA SIMPSON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

Int: See Docket DOCKETED  
04/09/98  
Action Complaint filed Due Date: Assigned 6/15/98

04-27-1998

27757/00156 (P-1710)

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(Rev. 6-93)

4-9-98

RE

OMB No. 0651-0011 (exp. 4/94)  
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Patent and Trademark Office

100694472

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

JAY C. BRINKMEYER

Additional name(s) of conveying party(ies) attached?  Yes  No

## 3. Nature of conveyance:

Assignment  Merger  
 Security Agreement  Change of Name  
 Other \_\_\_\_\_

Execution Date: 03/24/98

## 2. Name and address of receiving party(ies):

COMPAQ COMPUTER CORPORATION

Internal Address: 20555 S. H. 249  
Houston, TX 77070Street Address: 20555 S. H. 249  
Houston, TX 77070Additional name(s) & address(es) attached?  Yes  No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: 03/24/98

## A. Patent Application No.(s)

09/057707

## B. Patent No.(s)

— Additional numbers attached?  Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Roger L. Maxwell  
Jenkins & Gilchrist, P.C.  
1445 Ross Avenue, Suite 3200  
Dallas, Texas 75202-2812

## 6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41):.... \$ 40.00

 Enclosed Authorized to be charged to deposit account

## 8. Deposit account number:

10-0447

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

WILLIAM J. TUCKER  
Name of Person SigningWilliam J. Tucker  
Signature4/7/98  
Date

Total number of pages including cover sheet, attachments, and document: 3

Mail documents to be recorded with required cover sheet information to:  
 Commissioner of Patents and Trademarks, Box Assignments  
 Washington, D.C. 20231

04/27/1998 JSHABAZZ 00000027 09057707

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ASSIGNMENT

WHEREAS, I, JAY C. BRINKMEYER, am the sole inventor of "**A COMPUTER SYSTEM USING A QUEUING SYSTEM AND METHOD FOR MANAGING A QUEUE AND HETEROGENEOUS DATA STRUCTURES**" application for United States Letters Patent which is executed of even date herewith; and

WHEREAS, COMPAQ COMPUTER CORPORATION, a corporation created and existing under and by virtue of the laws of the State of Delaware is desirous of acquiring the entire right, title and interest in and to the aforesaid invention throughout the world, and all right, title and interest in, to and under any and all Letters Patent of the United States and all other countries throughout the world;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, I hereby sell, assign, transfer and set over to COMPAQ COMPUTER CORPORATION all right, title and interest in and to the said invention throughout the world, and said application for U.S. Letters Patent, and any and all divisions, continuations, and reissues thereof, and any and all Letters Patent of the United States and foreign countries which may be granted therefor, the same to be held and enjoyed by COMPAQ COMPUTER CORPORATION for its own use and benefit, and for the use and benefit of its successors, assigns, or other legal representatives, to the end of the term or terms for which said Letters Patent of the United States or foreign countries are or may be granted or reissued, as fully and entirely as the same would have been held and enjoyed by me if this assignment and sale had not been made.

And I hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States on said invention or resulting from said application and from any and all divisions, continuations, and reissues thereof, to COMPAQ COMPUTER CORPORATION as assignee of my entire interest, and hereby covenant that I have the full right to convey the entire interest herein assigned, and that I have not executed and will not execute any agreement in conflict herewith.

And I further hereby covenant and agree that I will, at any time, upon request, execute and deliver any and all papers that may be necessary or desirable to perfect the title of said invention and to such Letters Patent as may be granted therefor, to COMPAQ COMPUTER CORPORATION, its successors, assigns, or other legal representatives and that if COMPAQ COMPUTER CORPORATION, its successors, assigns or other legal representatives shall desire to file any divisional or continuation applications or to secure a reissue of such Letters Patent, or to file a disclaimer relating thereto, will upon request, sign all papers, make all rightful oaths and do all lawful acts requisite for the filing of such divisional or continuation application, or such application for reissue and the procuring thereof, and for the filing of such disclaimer, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

And I do further covenant and agree that I will, at any time upon request, communicate to COMPAQ COMPUTER CORPORATION, its successors, assigns or other legal representatives, such facts relating to said invention and Letters Patent or the file history thereof as may be known to me, and testify as to the same in any interference or other litigation when requested so to do, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

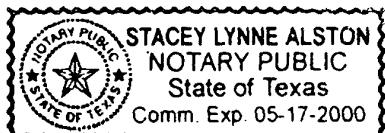
EXECUTED THIS 24 day of March, 1998.

Jay C. Brinkmeyer  
JAY C. BRINKMEYER

STATE OF TEXAS            §  
                               §  
COUNTY OF HARRIS        §

BEFORE ME, the undersigned authority, on this day personally appeared JAY C. BRINKMEYER, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office this 24 day of  
March, 1998.



Stacey Lynne Alston  
Notary Public in and for the State of Texas